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AUTHOR Meir, Joel
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ABSTRACT

The purpose of this paper is to explore the topic of risk recreation and its implications for the professional recreation director. The question is raised, "Is there a reasonable rationale and justification to warrant public sponsorship of risk recreation programs?" High risk activities are identified, and their relative dangers are examined. The personal psychological and social reasons people engage in high risk sports are analyzed, and the trend toward more participation in this type of activity is explained. The legal implications associated with risk recreation programs are explored with recommendations for precautionary steps to avoid litigation in case of accidents. The author concludes that with responsible leadership, high adventure and risk recreation can play an important role in satisfying the needs of people who enjoy such activities. (JD)

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RISK RECREATION:
EXPLORATION AND IMPLICATIONS

By

Dr. Joel Meier

University of Montana

Presented at the

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RISK RECREATION: EXPLORATIONS AND IMPLICATION

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The purpose of this presentation is to explore the topic of risk recreation. There has been an ever increasing rise in the popularity and number of participants choosing activities which have elements of challenge, risk, thrill, stress, and adventure.

Risk recreation has become a major concern to professionals for two reasons. First, the roles of recreation and risk in society have changed. As society has shifted from a work orientation toward greater involvement in leisure, recreation pursuits have come to serve as an important basis for differences between people. For example, in earlier cultures man took part in intense risk-action so as to survive. Survival risk-action in the more advanced industrial societies of today is obsolete. Yet, the quest for excitement by people persists. It has been theorized that in societies where the burden of danger has been controlled and threatening types of excitement have diminished, a special class of leisure activities has evolved to serve the compensatory function of play-excitement[1]. The shift of emphasis in risk has allowed people to seek and enjoy stress through self-imposed obstacles, testing of one's limits, and tempting of fear. This special class of leisure activities has attracted numerous devotees in recent years. Increased participation has most likely been affected by greater opportunities due to proliferation of clubs, instructional programs, improved technical equipment, and safety procedures.

The second concern to recreation professionals involves the question of

legal liability in risk recreation programming. As a result of the inherent potential of danger and possible accidents, many public recreation and leisure service agencies (including schools) question the validity of offering such activities as a regular part of their programs. Their hesitancy is usually cloaked in fear that inevitable accidents would result in litigation.

A number of recreation departments have been crippled by large damage suits for injuries to participants. In one study, those agencies that perceived the risk in certain activities as extraordinarily high also reported the greatest number of legal problems with the activities and expressed the least desirability to provide the activities to the public[2].

The trend in too many recreation programs has been to avoid liability suits by making activities so safe for the participants that much of the risk, excitement, and fun has been eliminated. Naylor[3] registered the following indictment: "in an effort to protect children, public departments have tried to make excitement and challenge out of 'honey and milk toast' activites." Therefore many departments are not meeting the needs of people, thus forcing them to seek excitement and recreation elsewhere.

With this in mind, the overriding theme of this presentation is directed toward answering the question,"is there a reasonable rationale and justification to warrent public sponsorship of risk recreation programs?" I believe there is!

In leading towards the premise that public recreation agencies should engage in sponsorship of such program services the following aspects of the topic need to be explored:

First, conceptualization of the term "risk recreation" is needed. In other words, what is an acceptable definition of "risk recreation"? What sort of activities are we talking about? What are the characteristics of risk recreation? What are the requirements for participation?

Second, The inherent danger in so called "risk recreation" programs needs to be understood. In other words, is risk recreation really risky?

Third, The needs and values of risk recreation, including why people engage in such activity and what place these activities and programs have in our society should be addressed.

Fourth, We need to look briefly at the implications regarding responsibilities of public agencies providing programs and opportunities for risk recreation.

Fifth, We should look closely at suggested considerations and guidelines for adventure program sponsors, including considerations of leadership and legal liability problems.

DEFINITION OF HIGH RISK IN RECREATION

The term risk is an expression of possible loss. When a person takes a risk, he has entered a dangerous (hazardous) situation. To add further insight in understanding risk, it should be understood that risk-taking is influenced by an evaluation of the odds. In certain types of activities such as sky diving or mountain climbing, risk is obviously related to the skill and experience of the participant -- less skill increases the hazard. On the other hand, in some risk taking activities the margin of safety is the same for all. For example, in Russian roulette with a six chamber revolver and only one bullet, the margin of safety is the same for all participants. There are no experts! To put things in prospective, it could be said that risk is the essence of living, for to really live is to take risks -- but the ultimate risk is death!

When we combine the terms "risk" and "recreation" we most likely visualize any number of leisure activities which provide exposure to physical danger.

Synonymous terms commonly used today might also include "rugged recreation", "high adventure programming", "thrill sports", "challenge programs", and "outdoor pursuits". Activities which commonly are associated with these terms include, but are not limited to, the following: mountaineering, scuba diving, motorcycling, auto racing, hotdogging, snowmobiling, spelunking, and hot air ballooning. In addition, some might also include alpine skiing, cross country skiing, backpacking, winter camping, and others. In almost all cases, such activities take place in an outdoor setting, whether it be on land, water, air, snow or ice.

As long as we are labeling, we might also point out that there is a wide assortment of "handles" attached to those individuals who choose to participate in these high adventure programs. Common among such terms are "thrill seekers", "stimulus addicts", "adrenalin freaks", and just plain old nutty people who have an appetite for dying!

CHARACTERISTICS OF RISK RECREATION

Characteristics which often represent risk recreation activities include: (1) Participation sports that involve more than routine risks and require more stamina than the recreational activities in which people usually participate. (2) Elements of adventure. (3) Crossing of a definite barrier (mental and/or physical). In a sense this barrier is a crises of security which can be labeled as stress. It is this stress that evokes fear. The physical barrier can easily be crossed by the hardy and the willing. The emotional barrier is usually much more subtle and often more difficult. Crossing it demands skill and confidence. (4) Little commonality among forms of risk-recreation. One form of risk recreation may bear little resemblance to another.

REQUIREMENTS FOR PARTICIPATION

Although one form of risk recreation may bear little resemblance to another, there are certain requirements for participation that the most rugged high adventure risk recreation pursuits have in common:

First, A large measure of interest, time and energy. Considerable time and energy ususlly must be invested in such activities. Being only so-so in the skills required can be dangerous; practice toward perfection becomes critical. Preparation time can far outweigh participation time in many of these activities. This is why enthusiasts often seem so single-minded about their activities.

Second, A knowledge of equipment and locale. Special, and often expensive, equipment is usually required.

Third, Expert instruction and leadership. You can take up many recreational activities simply by reading a good how-to guide. Not so for the risk activities. Book learning must be supplemented with instruction at the hands of someone experienced in the activity. To earn formal credentials in some of these sports (scuba diving, balloon piloting) you must study under someone licensed to instruct novices.

Fourth, Physical strength and conditioning. Most of the risk recreation activities are strenuous and involve long stretches of vigorous exercise. Physical conditioning is an essential part of preparation. None-the-less, with proper training and equipment plus a healthy regard for safety precautions, almost anyone can engage in most of the risk recreation activities without fear or extraordinary danger.

STATISTICAL DEFINITION OF HIGH RISK IN RECREATION

In attempting to quantify the risk in various high adventure activities by gathering accident and fatality statistics, a number of shortcomings readily

become apparent in the data because there is no central agency responsible for comprehensive collection of such statistics. It can be noted that accident reports often come from sources other than those people directly involved in a mishap. These include newspaper articles, coroners' reports, word-of-mouth incidents, or published accounts in membership journals.

Another problem in gathering statistics is the problem of definitions. Each year several parachutists are killed when they land in a lake, become tangled in their lines, and drown. Death may actually be due to drowning, but the fatality is dually listed with the United States Parachuting Association. Public health agencies often encompass mortality statistics into broad categories such as "recreation accident" or "unspecified". According to American Whitewater, a difficulty in definition is often encountered when a boating accident is reported by an observer. If the boating victim is last seen with a paddle in his hand, his death may be classified as a small-craft accident. However, in the case of no paddle, the fatality may be classified along with drowned swimmers, waders, and fishermen[4].

An obstacle in equating accident and fatality statistics in various activities stems from the variety of ways in which the data have been recorded; for example, accidents per number of participants, accidents per number of exposures, accidents per period of time and by case history. Thus, there is no basis for comparison among total number of participants, accidents per number of exposures, relative length of exposures, and accidents per constant unit of time. Also, comparisons of injury rates over time are tenuous because of altered performing styles, designs of equipment, and greater exposure to the accident situation through increased numbers of participants. Finally, the correlation of skill, years of experience, and other variables are obscured by the lack of control

data.

The number of accidents reported is probably far below the actual number occurring in each activity. The American Alpine Club stated that fewer cases of climbing accidents were reported in recent years because of a growing concern about legal implications[5].

Accidents are the fourth leading cause of death in the United States with a death rate (1973) of 55.2 per 100,000 population[6]. Accidents are the leading cause of death among those persons aged one to 38 years[7]. These accident rates, however, include all types of accidents and are not just those that occur in recreation. One estimate in 1972 indicated that 17 million Americans were injured while taking part in sports, either professional or amateur[8].

On the other hand the New York Times recently reported that "the number of deaths from the whole range of the new risk-taking is still low compared with deaths each year on the nations highways, household and industrial accidents or deaths from natural causes."[9] That same article went on, however, to point out that statisticians from the Metropolitan Life Insurance Com[illegible] calculate that approximately 10,000 Americans die each year as a result of some avocational planned risk for fun or adventure. And the figure is growing.

Accident figures for activities higher than those published in Statistical Abstracts are considered high risk by some insurance companies. Therefore, such companies raise the cost of the insurance premium for individuals who participate in those activities. According to several insurance companies (Metropolitan Life Insurance Company, Safeco Insurance Company), the most frequently asked questions about sports participation appearing on an insurance form relate to the activities of skydiving, scuba diving, and auto racing. Lower insurance

rates are given to those individuals with more experience (skill reduces risk) and to those with a history of fewer accidents.

The evaluation of high risk in recreation, for the most part, is determined on a subjective basis. The objective risk, or actual probability of success, may be low (i.e., if the probability of success is high, the objective risk is low), but people may perceive the risk of the activity as high for subjective reasons. For example, free fall parachuting is not as dangerous as it looks; it produces a large number of broken ankles and scrapes but only one fatality per 70,000 jumps[10]. This is a low figure of objective risk. On the other hand skydiving can be classified as high risk because in the event of an accident, the probability that it will be fatal is extremely high. Thus, the subjective value placed on the consequences of the accident, the "stakes", imbue the activity with risk. In comparison, the objective risk for skiing is much higher, estimated from 3.8 to 10.3 injuries per 1000 skiing days[11]. The subjective risk is lower, however, because fatalities are fewer. This suggests that the uncertainty of the outcome and the nature of the consequences for failure do not necessarily make an equal contribution to the assessment of risk.

The subjective value of high risk in selected recreation activities has also been fostered by the media. On one television sports show, the "agony of defeat" is associated with a ski jumper sliding out of control down a ramp. Titles of magazine articles lend credence to the belief that not only are the selected recreation activities high in risk, but that the participants are somehow abnormal for voluntarily seeking those risks; for example, recent titles include "Mountaineering: Fatal Madness"[12], "Ski Freaks: Hotdogging"[13], "I Like to Risk My Life"[14], and "The Thrill Seekers"[15].

One primary reason for the increasing number of accidents in risk recreation is due to the phenomenal growth of these pursuits in recent years. Hang-gliding, for example, is probably one of the fast growing "thrill" sports. In just five years since the sport was invented in southern California's sand dunes, about 25,000 persons have participated in this activity in this country while the sport has claimed at least 85 lives[16]. There were 36 known deaths in 1974[17]. At least 67 hang-gliding fatalities occurred throughout the world in 1976[18]. Another rapidly growing thrill activity is hot air ballooning. There were only 38 registered balloons in the nation in 1960. By mid-1975, there were 500 balloons and the number of certified balloon pilots had risen from 25 to more than 700. There were only 16 deaths recorded as a result of balloon flights in this 15 year period[19]. Today there are nearly 1,000 balloons and some 3,000 licensed pilots[20]. Ballooning is statistically very safe, but it doesn't feel so safe when you are going up, up and away.

Regardless of the accident rates, most of the risk-taking among more and more Americans is a healthy course of action. It may be more dangerous than moderate levels of recreation, but it is probably more preferable than the inactivity of nonparticipation.

NEEDS AND VALUES OF RISK RECREATION

With the foregoing in mind it is worthwhile to discuss some justifiable reasons why risk recreation activities should warrent inclusion as a regular part of our program services. After all, if we are to properly weigh the value of offering risk recreation programs in our agencies, then we must know more than the odds of success or failure as measured in terms of accidents. Since risk is influenced by an evaluation of odds, then we must seek to learn if there is enough potential gain or value to assume the hazard. In other

words, intelligent risk assessment involves, first, defining goals and second, asking the question "is obtaining the goals worth the danger?" Specifically, we are speaking of the values that can be gained from providing opportunities for participation in risk recreation. Such values have often been expressed in terms of goals or desired outcomes. For example, development of a sound self-concept, including self-reliance and self-confidence, might be a reasonable goal or outcome resulting from participation in risk recreation. Other examples of desirable goals migh include development of environmental awareness, aesthetic appreciation, cooperation, physical fitness, ability to deal with stress, tenacity, and what Willi Unsoeld calls cosmic humility.

Let us assume for the moment that, in fact, risk recreation programs can exert a positive influence on such things as self-concept, personality, anxiety or fear, social interaction, achievement motivation, and other like variables. If in fact this was the case, it would offer unlimited possibilities in many fields. For example, public school systems could implement risk recreation programs to help students who are not only unsure of themselves, but also for those students who experience academic difficulty. Institutions for juvenile delinquents might conceivably utilize such programs to provide youthful offenders with a greater sense of self-worth and self-confidence. Community recreation agencies might consider risk programs for youths from slum areas so as to develope their attributes of character. And the field of mental rehabilitation could apply adventure programs as therapeutic tools in aiding emotionally disturbed patients. Certainly such outcomes would be worthy goals for any of these types of agencies. The fact is that such programs are presently in existance in such settings today. Furthermore, results of recent studies seem to imply that, in general, many high adventure risk recreation programs of these types do indeed show positive

measurable effect as just described[21,22]. In particular, changes in elements of self-concept have been most outstanding in special populations such as delinquents, academic underachievers and mental patients[23,24,25].

Now let us turn away from the previous discussion so as to focus yet on different types of values. More difficult to understand but equally important is the relationship of values and man's behavioral needs (physiological, psychological, social) which can be satisfied through risk recreation. This assumption is based on the premise that certain recreational needs may be expressions of certain behavioral needs. Therefore, the value of risk recreation programs become apparant because such programs can meet these behavioral needs. Let us discuss this area more fully.

The fact exists that some individuals clearly enjoy engaging in recreational activities which involve intense sensory stimulation through risk-taking, whereas other individuals choose to participate in less "exciting" types of leisure pursuits. This suggests that individuals differ in their need for stimulation and that various recreation activities provide varying amounts of stimulus. Recent research on the relationship between need for stimulation and risk involvement seems to have a great amount of theoretical and empirical commonality in that it clearly supports the existence of a human need for stimulation that varies among individuals. In other works, some individuals have need to seek out greater stimulation than others[26]. This being the case, should we then not provide properly planned, socially acceptable outlets for this need? To do otherwise may lead individuals to seek out less desirable means to satisfy themselves.

Unfortunately, stress seeking is a complex phenomonon which demands a multi-faceted approach in order to understand it. What I am saying is that

various psychophysical measures of an individual's need for stimulation or various personality measures may not fully account for his or her pursuit of risk in recreation. The reason people participate in certain recreation activities is most likely rooted in a combination of physical, psychological, and sociological structure and the influences of society and culture as well.

There are often other overriding motives which compel one to engage in risk recreaton which may be more easily comprehended than the abstract ones previously described. In the final analysis it appears that people participate in high adventure risk recreation for many reasons, as is true of any human activity; some to test themselves, others for love of challenge, camaraderie, exploration, aesthetics, or communication with the natural world. Many simply seek a change of pace or change of focus in their lives which allows temporarily for them to forget about worldly problems. The benefits derived in the form of positive values are all worthy and can usually outweigh any risks involved.

RESPONSIBILITY FOR PROVIDING PROGRAMS

At the outset of this paper it was indicated that many public agencies responsible for providing recreation services have been reluctant to offer risk recreation activities as a regular part of their programs. As a result, unfortunately, many public recreation programs have often been labelled as lacking in excitement[27] and as being "too soft, too dull, and too ordinary"[28]. Little evidence exists to indicate that the situation will change adequately in the near future. One recent study which sought to determine the involvement of public recreation agencies in the provision of risk recreation revealed that well over 50 percent of the responding agencies indicated they should not provide air, land, water, or snow related risk activities to the people they serve[29].

It can be assumed that such attitudes on the part of agency administrators are due not only to fear of liability problems but also to the lack of understanding regarding the values that such programs can provide. Agencies may also be reluctant to offer such programs due to the scarsity of professional recreation personnel who are qualified to organize and lead such activities. The ever increasing number of individuals pursuing risk recreation today has produced demands for trained individuals equipped with the essential skills to serve as leaders of high risk programs. It is imparative that institutions of higher learning (and other outdoor leadership training organizations) prepare adequately the future recreation professionals for such challenges.

CONSIDERATIONS OF LEGAL LIABILITY

Legal implications associated with risk recreation programs are worthy of our exploration. Prior to concluding this discussion let us therefore briefly turn our attention to this subject so we might have a better understanding of it.

In respect to laws dealing with negligence and legal liability it is widely assumed that as the element of risk goes up, the element of liability rises proportionately. This is not the case! Although the probability of risk (possible loss) may actually increase in certain activities which possess elements of danger, liability does not automatically increase[30]. This is to say that the expected standards of care are no different for risk recreation activities than for any other recreation program. The principles of safety in conducting such activities are the same in all circumstances. There should be no difference in liability since the same standards apply in all programs, whether they be of high or low risk.

The standards of care, as interpreted by the courts, are that a person has the duty to act in a reasonable and prudent manner in carrying out his or her responsibilities. Should failure in this duty result in injury to other persons or property, then negligence has occurred. Janna Rankin, a recreation specialist and lawyer, had the following to say about standards of care:

> "This standard does not make the professional recreation programmer of the agency the absolute insurer of the safety of the participants, nor does it relieve the participant of the responsibility to exercise reasonable care and to be observant. If the recreation programmer acted as the reasonably prudent person would under those circumstances, and nevertheless a participant was injured, the staff person or agency should not be held responsible."[31]

Therefore, lawsuits are based on negligence of people, not the hazards of activity[32].

A recreation agency wishing to avoid legal intanglements can best avoid such problems by maintaining qualified and highly competent staff and by following reasonable precautions in carrying out programs. Leaders of risk recreation programs are expected to have the competence required for the responsibilities they have accepted, including up-to-date knowledge and appropriate skills common to the activities with which they deal. These are the same requirements that should be expected from any of our programs.

What can a leader or instructor of a high adventure program do to reduce liability? Here are some ideas which could help:

1. Encourage self reliance. Encourage participants to rely on their own abilities. Do not invite them to rely on you.
2. Acquaint participants with the dangers and risks of the activity before the activity begins. Have a pre-trip meeting and/or send out correspondence dealing with this.
3. Use proper safety procedures. Instruct participants as to the activity's proper safety procedures.

4. Don't give false qualifications. Don't profess competance, expertise, and knowledge you do not possess.

5. Know your subject. You as an instructor or leader must know your subject thoroughly.

6. Inspect all equipment for defects before an activity. If a defective piece of equipment could cause injury, don't use it.

7. Use only voluntary participants in activities involving risk.

8. Participation should be in accordance to abilities. Do not encourage participants to run the risk of activities which are above their abilities.

9. Prevent reckless actions. When you are in charge of an activity, do not let another person act or use equipment in a way that may create an "unreasonable" danger to others.

10. Perform "reasonable" preparation for activities involving risk. The higher the risk, the higher the preparation.

11. Perform"reasonable" care in activities involving risk. The greater the danger, the greater the care which must be exercises.

12. Don't quess. When the safety of others depend on the accuracy of information you give out, make sure it is accurate. If you don't know, don't guess.

13. Perform inherent duties. Know and perform the "duties" that are inherent in the activity. For example, correct belaying is a duty inherent in the activity of rapelling.

14. Provide supervision when it "might" prevent injury. (Remember that all the risk of outdoor activities cannot be eliminated by any degree of care or supervision, you can't be everywhere at once).

15. Do your best always. Do any action or activity you undertake to the very best of your ability. Remember that if it miscarries and causes a foreseeable injury to a participant, you may be LIABLE.

In addition to the aforementioned, here are some other things you should understand or consider:

1. Release forms and statements, are they really legal? No! They can act only as a warning and as a notice to people that what they are involved in might be dangerous. No person can legally sign away his or her rights by signing such a statement.

2. Check on insurance programs; accident insurance for the participants and personal liability insurance for the leaders. Also, consider supplementary insurance programs for long trips or specifically hazardous programs.

3. Do not set up programs or encourage programs that are too dangerous a risk to be practical. Use your head when eveluating such programs and seek advice where necessary to insure safety and freedom from harm for all participants.

CONCLUSION

In conclusion, we should keep in mind that the basic purpose of any recreation agency is to provide opportunities for people, individually and collectively, to engage in leisure behavior so as to satisfy basic human needs whatever those needs may be. High adventure and risk recreation can play an important role in satisfying such needs and should be a part of our recreation programs.

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